

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No.: 23-cv-23385-JB/Reid

IN THE MATTER OF THE:

COMPLAINT OF FISHER ISLAND
COMMUNITY ASSOCIATION, INC., AS
OWNER OF THE M/V PELICAN II, Official
Number 1296903,

Petitioner.

**ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION**

THIS CAUSE is before the Court on United States Magistrate Judge Lisette M. Reid's Report and Recommendation ("Report"), ECF No. [55], on the Motion to Stay or Dismiss the Limitation of Liability Action and Dissolve the Court's Injunction filed by Claimant Alexis Fernandez ("Claimant"), as Personal Representative of the Estate of Cristian Gaston Fernandez (the "Motion"), ECF No. [38]. In the Report, Judge Reid recommends that the Court grant the Motion and stay this action to allow Claimant to pursue a negligence action in Florida state court. ECF No. [55]. No objections to the Report have been filed, and the time to do so has passed. After careful consideration of the Report, the Motion, the record, and the applicable law, it is **ORDERED AND ADJUDGED** as follows:

1. The Report, ECF No. [55], is **AFFIRMED** and **ADOPTED**.
2. Claimant's Motion to Stay or Dismiss the Limitation of Liability Action and Dissolve the Court's Injunction filed by Claimant Alexis Fernandez, ECF No. [38], is **GRANTED**. This action is hereby **STAYED** pending further order of the

Court to allow Claimant to pursue a negligence action in Florida state court.

DONE AND ORDERED in Miami, Florida, this 4th day of December, 2024.



JACQUELINE BECERRA
UNITED STATES DISTRICT JUDGE